



CITY COUNCIL AGENDA REPORT

MEETING DATE: FEBRUARY 5, 2019

ITEM NUMBER: CC-11

SUBJECT: FUNDING FOR EMERGENCY REPAIRS TO FAIRVIEW PARK BLUFFS

DATE: JANUARY 30, 2019

**FROM: PARKS AND COMMUNITY SERVICES AND PUBLIC SERVICES
DEPARTMENTS**

PRESENTATION BY: CYNTHIA D'AGOSTA, FAIRVIEW PARK ADMINISTRATOR

**FOR FURTHER INFORMATION CONTACT: CYNTHIA D'AGOSTA, FAIRVIEW PARK
ADMINISTRATOR, 714-754-5135**

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve a budget adjustment in the amount of \$200,000 from unassigned fund balance in the Park Fees Fund to pay for necessary emergency repairs to the bluffs (cliffs) at Fairview Park; and,
2. Authorize the City Manager to enter into a contract to complete the emergency work.

BACKGROUND:

With the recent heavy rains and expected additional storms, the bluffs at Fairview Park are experiencing substantial erosion which has created a health, safety, and environmental hazard. Several large sink holes and fencing damage has resulted in the closure of a significant portion of the bluff trail. Environmental concerns are relevant because the erosion is influencing improper drainage of the federally protected vernal pool in proximity to the bluff.

The layers of sensitivity of the environment and complex regulatory measures (federally protected habitats and species / Nationally Registered Cultural Historic Site / Measure AA / Waters of the United States) create the need to carefully examine how and what emergency treatments are implemented, so as not to incur further damage to the resources.

ANALYSIS:

In accordance with Section 2-165 (Bidding required; exceptions) of Article 2 (Purchasing) of Chapter V (Finance) of Title 2 (Administration) of the Costa Mesa Municipal Code, the City has determined that due to the emergency nature, the services needed to address the issue are exempt from bidding procedures. Furthermore, Council Policy 700-1 indicates the Public Services Director and City Manager are authorized to take immediate and appropriate action to eliminate the danger, regardless of the costs. The policy requires costs above the City Manager's approval limit, which is \$50,000, be brought to City Council at the next available meeting.

The Public Works Director and Parks and Community Services Director are working with Dudek, a consultant already familiar with Fairview Park, to perform an engineering analysis and material review to determine what will need to be done to meet state and federal guidelines for this sensitive environment. Staff are working to secure a scope of work and costs from a Dudek, but do not yet have confirmation of the full costs associated with the work. The current estimate is in the \$200,000 range.

ALTERNATIVES CONSIDERED:

There are no alternatives being considered at this time.

FISCAL REVIEW:

Funding for these services is available in unassigned fund balance in the Park Fees Fund.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report and approved it as to form.

CONCLUSION:

With no action taken, the natural resource will continue to erode, causing increased public safety hazards and further loss of trails and natural resources, potentially impacting endangered species. If this were to occur, the City of Costa Mesa could potentially receive penalties and fines from regulatory agencies for not acting to protect the habitat and known endangered species.

Therefore, staff recommends that the City Council approve a budget adjustment in the amount of \$200,000 from unassigned fund balance in the Park Fees Fund to pay for necessary emergency repairs to the bluffs (cliffs) at Fairview Park; and, authorize the City Manager to enter into a contract to complete the emergency work.

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